

/Nizal S. Chandrakumar/ 01/26/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Alain SHOUTTEETEN et al.
Serial No.: 10/584,440
Filed: November 29, 2006
For: **PROCESS FOR THE PREPARATION OF N-ALKYL-2(HYDROXY-4BENZOYL)-3 BENZOFURANS AND ITS INTERMEDIATES THEREOF**

Docket: 2003FR302
Group Art Unit: 1625
Examiner: Chandrakumar, G.

SUPPLEMENTAL RESPONSE AND AMENDMENT

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

In response to the Office Action mailed October 8, 2008, please reconsider the subject application in view of the following supplemental remarks and amendments.

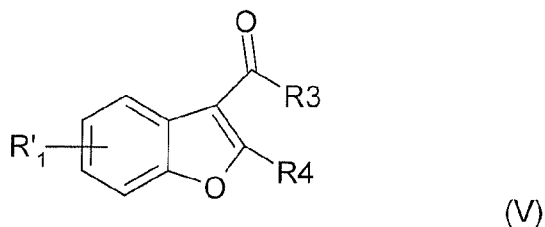
Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks are found on page 4 of this paper.

This listing of claims will replace all prior versions, and listings of claims in the application:

Please cancel claims 1 – 15

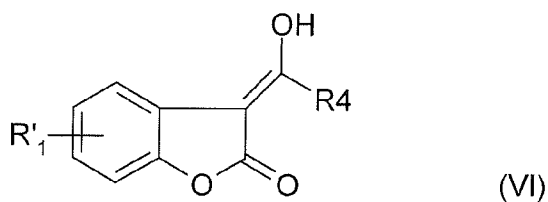
16.(Original) A compound of formula (V)



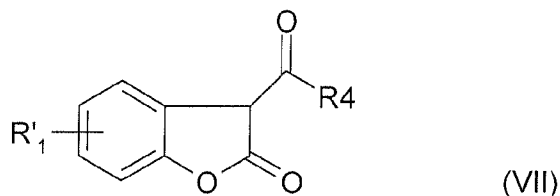
in which R₃ represents a hydroxyl radical or represents a halogen atom,
R₄ represents a linear or branched alkyl radical including from 2 to 5
carbon atoms and R'₁ represents a nitro radical.

17.(Original) The compound according to Claim 16,
characterized in that R'₁ represents a nitro radical in the 5 position and
R₄ represents an n-butyl radical.

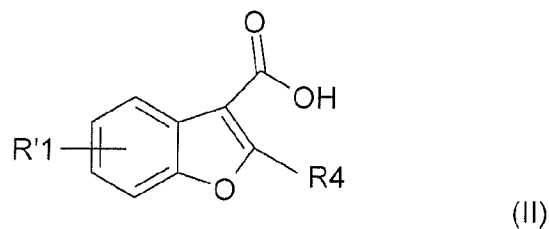
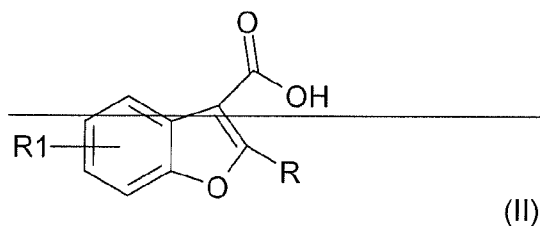
18.(Currently Amended) A process for the preparation of a 2-(n-alkyl)-3-
carboxybenzofuran of formula (II), characterized in that a 3-(1-
hydroxyalkylidene)-3H-benzofuran-2-one of formula (VI):



or its 3-alkanoyl-3H-benzofuran-2-one ketonic tautomeric form of formula
(VII):



in which R4 represents a linear or branched alkyl radical including from 2 to 5 carbon atoms and R'1 represents a nitro radical, is treated by heating and by an acid catalyst in concentrated aqueous solution of at least 80% by weight and then the expected product of formula (II)



is isolated.

19.(Original) Process according to Claim 18, characterized in that the treatment by heating of the compound of formula (VI) or of formula (VII) is carried out in a carboxylic acid.

20.(Original) The process of claim 18, wherein the acid catalyst in concentrated aqueous solution is concentrated sulphuric acid at between 80% and 95% by weight.

21.(Canceled)

REMARKS

The Office Action mailed October 8, 2008 has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Reconsideration of the present Application in view of the following supplemental remarks is respectfully requested.


Applicant has amended the Application to attend to housekeeping matters and to place the Application in condition for allowance. Applicant has canceled claims 1 – 15 and claim 21. Applicant has amended claim 18 to properly define the variables R'1 and R4 in Formula (II). It is not believed that any new matter was introduced by these amendments, and that no additional search is required by the office.

In the Examiner's action, the examiner indicated that claims 16 – 20 are allowable.

It is respectfully submitted that, in view of the above remarks, this application is in a condition for an allowance of all pending claims.

An early and favorable action is courteously solicited.

Respectfully submitted,



Richard P. Silverman
Registration No. 36,277
Agent for Applicants

(CUSTOMER NUMBER 25,255)
CLARIANT CORPORATION
INDUSTRIAL PROPERTY DEPARTMENT
4000 Monroe Road
Charlotte, NC 28205
Tel: (704) 331-7156
Fax: (704) 331-7707